

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JIMMIE L. LARK,

Defendant.

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Criminal Case No. 05- 118M

MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves (check all that apply):

☐ Crime of violence (18 U.S.C. § 3156)

☐ Maximum sentence life imprisonment or death

☐ 10+ year drug offense

☐ Felony, with two prior convictions in above
categories

☒ Serious risk defendant will flee

☐ Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

☒ Defendant's appearance as required

☐ Safety of any other person and the community

3. **Rebuttable Presumption.** The United States (will, will not) invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because (**check one or both**):

☐ Probable cause to believe defendant committed 10+ year drug offense
or firearms offense, 18 U.S.C. § 924(c)

☐ Previous conviction for "eligible" offense
committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the detention hearing,

☐ At first appearance

☒ After continuance of 3 days (not more than 3).

5. **Temporary Detention.** The United States requests the temporary detention of the defendant for a period of days (not more than 10) so that the appropriate officials can be notified since:

☐ 1. At the time the offense was committed the defendant was:

☐ (a) on release pending trial for a felony;

☐ (b) on release pending imposition or execution of sentence,
appeal of sentence or conviction, or completion of sentence for an offense;

☐ (c) on probation or parole for an offense.

☐ 2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.

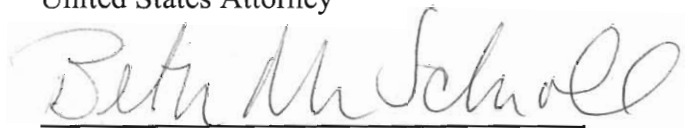
___ 3. The defendant may flee or pose a danger to any other person or the community.

6. Other Matters.

DATED this 20th day of October, 2005.

COLM F. CONNOLLY
United States Attorney

BY:



Beth Moskow-Schnoll
Assistant United States Attorney